

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, September 5, 2007

9:00 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative Paul Condino**, Chairman.

MEMBERS PRESENT: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca.

MEMBERS ABSENT/EXCUSED: Representatives Meadows and Warren.

Representative Schuitmaker moved to adopt the minutes of the **July 25, 2007**, meeting. There being no objection, the motion prevailed by unanimous consent.

Representative Bieda moved to excuse absent members from the committee. There being no objection, the motion prevailed by unanimous consent.

Chairman Condino laid **HB 5054, HB 5055, HB 5056** and **HB 5057** before the committee:

HB 5054	Donigan	Crime victims; other; sexual assault victims' forensic medical intervention and treatment act; create and provide funding for.
HB 5055	Donigan	Criminal procedure; other; minimum state costs assessed in certain criminal cases; increase, and provide for distribution of proceeds to assist victims of criminal sexual conduct.
HB 5056	Donigan	Criminal procedure; other; minimum state costs assessed in certain criminal cases involving juveniles; increase, and provide for distribution of proceeds to assist victims of criminal sexual conduct.
HB 5057	Donigan	Law enforcement; other; distribution of certain justice system funds to pay for certain costs associated with criminal sexual conduct; provide for.

TESTIMONY

Representative Donigan, sponsor of HB 5054, HB 5055, HB 5056 and HB 5057 explained her bills to the committee.

Debi Cain, representing the Michigan Domestic Violence Prevention Treatment Board, testified in support of the bills.

Joyce Siegel, representing the Sexual Assault Services of Calhoun County, testified in support of the bills.

Phyllis Van Order, R.N., representing the Sexual Assault Services of Calhoun County and the Michigan Great Lakes Chapter of IAFN (International Association of Forensic Nurses), testified and submitted written testimony in support of the bills.

John Hallacy, Calhoun County Prosecuting Attorney, representing the Prosecuting Attorney Association of Michigan, testified in support of the bills.

Donna Cornwell, representing the Center for Women in Transition, testified and submitted written testimony in support of the bills.

Diane Zalecki, representing HAVEN (Help Against Violent Encounters Now) and the START (Safe Therapeutic Assault Response Team) program, testified in support of the bills.

Beth Morrison, representing HAVEN and the START program, testified and submitted written testimony in support of the bills.

Phil Hoffman, representing the Michigan Sheriffs' Association, testified in support of the bills.

Kathy Hagenian, representing the Michigan Coalition Against Domestic Sexual Violence, testified in support of the bills.

The following people submitted a card in support of the bills and did not wish to speak:

Laurie Sweet, representing the YWCA of Kalamazoo Sexual Assault Program.

Mary Pollock, representing the Michigan – NOW (National Organization for Women).

Greg Zarotney, representing the Michigan State Police.

Representative Coulouris offered the following amendments to **HB 5054**:

1. Amend page 3, line 15, after “of” by striking out “community health” and inserting “human services”.

2. Amend page 4, line 6, after “of” by striking out “community health” and inserting “human services”.

3. Amend page 4, line 19, after “of” by striking out the balance of the subsection and inserting “human services”.

Representative Corriveau moved to adopt the amendments.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,

Nays: None,

Pass: None.

Representative Bieda offered the following amendment to **HB 5054**:

1. Amend page 4, following line 26, by inserting:
“Enacting section 1. This act takes effect April 1, 2008.” and renumbering the remaining enacting section.

Representative Virgil Smith moved to adopt the amendment.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,

Nays: None,

Pass: None.

Representative Coulouris moved to report **HB 5054** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,

Nays: None,

Pass: None.

Representative Bieda offered the following amendment to **HB 5055**:

1. Amend page 3, following line 16, by inserting:
“Enacting section 1. This amendatory act takes effect April 1, 2008.” and renumbering the remaining enacting section.

Representative Meisner moved to adopt the amendment.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Representative Schuitmaker moved to report **HB 5055** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Representative Schuitmaker offered the following amendment to **HB 5056**:

1. Amend page 3, following line 14, by inserting:
“Enacting section 1. This amendatory act takes effect April 1, 2008.” and renumbering the remaining enacting section.

Representative Bieda moved to adopt the amendment.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Representative Coulouris moved to report **HB 5056** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Representative Schuitmaker offered the following amendment to **HB 5057**:

1. Amend page 4, following page 27, by inserting:
“Enacting section 1. This amendatory act takes effect April 1, 2008.” and renumbering the remaining enacting section.

Representative Coulouris moved to adopt the amendment.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Chairman Condino offered the following amendments to **HB 5057**:

1. Amend page 4, line 5, by striking out "**12.05%**" and inserting "**12.06%**".
2. Amend page 4, line 7, after "MCL 18.425," by striking out "**12.05%**" and inserting "**12.06%**".
3. Amend page 4, line 13, by striking out "**2.77%**" and inserting "**2.78%**".
4. Amend page 4, line 15, after "MCL 12.203," by striking out "**5.44%**" and inserting "**5.45%**".
5. Amend page 4, line 27, after "**fund**," by striking out "**2.74%**" and inserting "**2.7%**".

Representative Schuitmaker moved to adopt the amendments.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,
Pass: None.

Representative Scott moved to report **HB 5057** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca,
Nays: None,

Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting at 10:29 a.m.

Representative Paul Condino, Chairman
House Standing Committee on Judiciary

Malika Abdur-Rashid

Committee Clerk

517-373-7256

89 Minutes